1

2

3

4

5

6

7

8   **UNITED STATES DISTRICT COURT**

9   **EASTERN DISTRICT OF CALIFORNIA**

10

11   RAYMOND BAILEY, | Case No.: 1:23-cv-01631 JLT EPG (PC)

12   Plaintiff,   ORDER ADOPTING IN FULL FINDINGS AND
                                                RECOMMENDATIONS TO DISMISS THIS CASE
13   v.   FOR FAILURE TO STATE A CLAIM WITHOUT
                                                FURTHER LEAVE TO AMEND
14   R. MEJIA, *et al.*,
                                                (Doc. 14)
15   Defendants.

16

17   Raymond Bailey is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights

18   action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge

19   pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20   On April 11, 2024, the assigned magistrate judge recommended that Plaintiff's amended

21   complaint be dismissed for failure to state a claim upon which relief may be granted and without

22   further leave to amend. (Doc. 14.) Plaintiff filed objections on May 21, 2024. (Doc. 15.)

23   According to 28 U.S.C. § 636(b)(1), the Court performed a *de novo* review of the action.

24   Having carefully reviewed the matter, including Plaintiff's objections, the Court concludes the

25   Findings and Recommendations are supported by the record and by proper analysis. Plaintiff

26   mistakenly asserts in his objections that the Findings and Recommendations demanded that he prove

27   his various allegations (Doc. 15); rather, the Findings and Recommendations properly explained why

28   Plaintiff has not presented factual allegations that plausibly support any of his claims. *See Ashcroft v.*

                                                    1

1   *Iqbal*, 556 U.S. 662, 678 (2009). Thus, the Court **ORDERS**:

2   1.   The Findings and Recommendations issued on April 11, 2024 (Doc. 14) are

3   **ADOPTED** in full.

4   2.   Plaintiff's complaint is **DISMISSED** for failure to state a claim and without further

5   leave to amend.

6   3.   The Clerk of Court is directed to close this case.

7

8   IT IS SO ORDERED.

9   Dated: **May 24, 2024**

10 UNITED STATES DISTRICT JUDGE